

METROPOLITAN PLAN COMMISSION
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HOSPITAL DISTRICTS
ZONING ORDINANCE
OF
MARION COUNTY, INDIANA

METROPOLITAN PLANNING DEPARTMENT

1968

HOSPITAL DISTRICTS

ZONING ORDINANCE

OF

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WHEREAS, Chapter 283 of the Acts of the Indiana General Assembly for 1955, as amended, established a single planning and zoning authority in counties having first-class cities and grants certain powers relative to the zoning and districting of land to the Metropolitan Plan Commission and the County Council of such counties having first-class cities, in order to unify the planning and zoning functions thereof; and

WHEREAS, the Metropolitan Plan Commission of Marion County, Indiana, has adopted and certified, pursuant to Chapter 283 of the Acts of the Indiana General Assembly for 1955, as amended, various segments of its ORIGINAL COMPREHENSIVE OR MASTER PLAN OF MARION COUNTY, INDIANA: and

WHEREAS, said Chapter 283 of the Acts of the Indiana General Assembly for 1955, as amended, empowers the Metropolitan Plan Commission of Marion County, Indiana, after such comprehensive plan certification, to recommend to the County Council an ordinance or ordinances for the zoning or districting of all lands within the County to the end that adequate light, air, convenience of access and safety from fire, flood and other danger may be secured; that congestion in the public streets may be lessened or avoided; that property values may be preserved; that the public health, safety, comfort, morals, convenience and general welfare may be promoted;

NOW THEREFORE BE IT ORDAINED by the Marion County Council of Marion County, Indiana, that Marion County Council Ordinance No. 8-1957, adopted by the Marion County Council on March 28, 1957, and subsequently amended pursuant to Section 85 of Chapter 283 of the Acts of the Indiana General Assembly for 1955, as amended, and all zoning ordinances adopted as parts thereof, be amended by the addition of the following provisions:

CHAPTER 1

SECTION 1.00 ESTABLISHMENT OF HOSPITAL ZONING DISTRICTS--PERMITTED USES

- A. The following primary HOSPITAL ZONING DISTRICTS for Marion County, Indiana, are hereby established, and land within said County is hereby classified, divided and zoned into said districts as designated on the HOSPITAL DISTRICTS ZONING MAP, which MAP is attached hereto, incorporated herein by reference and made a part of this ordinance. No use shall be permitted in said DISTRICTS other than the following permitted uses.

HOSPITAL DISTRICT ONE (HD-1)

The HD-1 zoning category is designed to permit and facilitate the development, expansion, and modernization of a major hospital complex or campus, in which a diversity of uses, functions, and facilities is necessary to best perform the hospital's various services to the public; and, further, to permit appropriate land use modifications as necessary to facilitate the highest level of such service.

PERMITTED HD-1 USES

(All uses permitted within the HD-1 DISTRICT shall be subject to the Metropolitan Plan Commission's approval, as included within a required site and development plan filed with and approved by said Commission as hereinafter provided.)

HOSPITAL COMPLEX OR HOSPITAL CAMPUS, including the following accessory uses operated by or for the hospital, and integrally related thereto:

1. Administrative and professional staff offices.
2. Medical, research, multi-services, convalescent and educational facilities and buildings, and related functions such as laboratories, auditoriums, class - and recreation facilities.
3. Cafeterias, gift shops, book stores and other similar convenience functions.
4. Warehouses, maintenance buildings, laundries, food preparation facilities, and utilities structures.
5. Apartments and dormitories for hospital staff, personnel and students.
6. Off-street parking lots and garages for employees staff, and visitors; and off-street loading facilities.
7. Other similar uses and facilities.

HOSPITAL DISTRICT TWO (HD-2)

Note: The HD-2 zoning category is designed to (1) permit and facilitate the logical association of a diversity of land uses in close proximity to a major hospital complex, (2) to provide adequate land area for such hospital-related uses, and (3) to assure a quality and character of site development that will create the environment of safety, quietness, attractiveness and convenience compatible with such hospital complex.

PERMITTED HD-2 USES

(All uses permitted within the HD-2 DISTRICT shall be subject to the Metropolitan Plan Commission's approval, as included within a required site and development plan filed with and approved by said Commission as hereinafter provided.)

1. OFFICES for physicians, dentists, and other professions dealing with public health.
2. MEDICAL LABORATORIES; SURGICAL AND MEDICAL SUPPLY FIRMS; HOSPITAL AND SICKROOM EQUIPMENT SALES & RENTAL.
3. NURSING, CONVALESCENT, AND RETIREMENT HOMES.
4. APARTMENTS, DORMITORIES, AND OTHER HIGHER-INTENSITY, PERMANENT OR TRANSIENT RESIDENTIAL STRUCTURES.
5. PHARMACIES; FLORISTS; CARD AND GIFT SHOPS; RESTAURANTS; UNIFORM CLOTHING STORES; AND SIMILAR CONVENIENCE AND SPECIALTY SALES AND SERVICE BUSINESSES.
6. COMMERCIAL PARKING LOTS AND GARAGES.
7. OTHER SIMILAR HOSPITAL-RELATED OR -ORIENTED USES.

Provided, however, that no use, building or structure shall hereafter be established, constructed or used on any land in the HD-1 or HD-2 District for any purpose other than lawfully existed on the date of the adoption hereof until a site and development plan for said land, including the proposed Hospital District use or uses shall have been filed with and approved by the Metropolitan Plan Commission.

Said site and development plan shall include layout and elevation plans for all proposed buildings and structures, and shall indicate:

- (1) Proposed Hospital District uses.
- (2) Any existing uses, buildings and structures.
- (3) Proposed buildings and structures.
- (4) Off-street parking layouts.
- (5) Vehicular entrances and exits and turn-off lanes.
- (6) Setbacks.
- (7) Landscaping, screens, walls, fences.
- (8) Signs; including location, size and design thereof.
- (9) Sewage disposal facilities.
- (10) Storm drainage facilities.
- (11) Other utilities if above ground facilities are needed.

The Metropolitan Plan Commission may consider and act upon any such proposed site and development plan, and approve the same in whole or in part, at any public meeting of the Commission. Public notice thereof shall not be required; however, the owner/petitioner filing such plan shall have the right to appear and be heard. Such site and development plan, and uses and structures therein, shall:

- (1) be so designed as to create a superior land development plan, in conformity with the Comprehensive or Master Plan of Marion County, Indiana.
 - (2) create and maintain a desirable, efficient and economical use of land with high functional and aesthetic value, attractiveness and compatibility of land uses, within the Hospital District and with adjacent uses;
 - (3) provide sufficient and adequate access, parking and loading areas;
 - (4) provide traffic control and street plan integration with existing and planned public streets and interior access roads;
 - (5) provide adequately for sanitation, drainage and public utilities; and
 - (6) allocate adequate sites for all uses proposed - - the design, character, grade, location, and orientation thereof to be appropriate for the uses proposed, logically related to existing and proposed topographical and other conditions, and consistent with the Comprehensive or Master Plan of Marion County, Indiana.
- B. No building or structure shall be erected in the HD-1 or HD-2 District without an improvement location permit and said permit shall not be issued until the site and development plan, including the proposed Hospital District use or uses and plans for such building or structure, shall have been approved by the Metropolitan Plan Commission in accordance with section 1.00 A. Applications for improvement location permit shall be made upon Metropolitan Planning Department forms and shall include all information specified by such forms.

CHAPTER 11

SECTION 2.00 HOSPITAL DISTRICT REGULATIONS

The following regulations shall apply to all land within the Hospital Districts.

A. After the effective date of this ordinance:

1. With the exception of legally established nonconforming uses, no land, building, structure, premises or part thereof shall be used or occupied except in conformity with these regulations and for uses permitted by this ordinance.
2. No building, structure, premises or part thereof shall be constructed, erected, converted, enlarged, extended, reconstructed or relocated except in conformity with these regulations and for uses permitted by this ordinance.

Provided, however, legally established nonconforming uses may be reconstructed if damaged or partially destroyed by fire or other disaster when such damage or destruction does not exceed two-thirds (2/3) of the gross floor area of the structures or facilities affected.

B. HOSPITAL DISTRICT DEVELOPMENT STANDARDS

All development within the Hospital Districts shall be in accordance with the site and development plan, as approved by the Metropolitan Plan Commission in accordance with section 1.00.

C. HOSPITAL DISTRICT PERFORMANCE STANDARDS

All uses established or placed into operation after the effective date of this ordinance shall comply with the following performance standards. No use in existence on the effective date of this ordinance shall be so altered or modified as to conflict with these standards.

1. VIBRATION No use shall cause earth vibrations or concussions detectable beyond the lot lines without the aid of instruments.
2. SMOKE No use shall emit smoke of a density equal to or greater than No. 2 according to the Ringlemann Scale, as now published and used by the U. S. Bureau of Mines, which scale is on file in the office of the Metropolitan Planning Department of Marion County, Indiana, and is hereby incorporated by reference and made a part hereof.

3. DUST
No use shall cause dust, dirt, or fly-ash of any kind to escape beyond the lot lines in a manner detrimental to or endangering the public health, safety or welfare or causing injury to property.
4. NOXIOUS
MATTER
No use shall discharge across the lot lines noxious, toxic or corrosive matter, fumes or gases in such concentration as to be detrimental to or endanger the public health, safety or welfare or cause injury to property.
5. ODOR
No use shall emit across the lot lines odor in such quantities as to readily detectable at any point along the lot lines and as to be detrimental to or endanger the public health, safety or welfare or cause injury to property.
6. SOUND
No use shall produce sound in such a manner as to endanger the public health, safety or welfare or cause injury to property. Sound shall be muffled so as not to become detrimental due to intermittence, beat frequency, shrillness or vibration.
7. HEAT AND
GLARE
No use shall produce heat or glare creating a hazard perceptible from any point beyond the lot lines.
8. WASTE
MATTER
No use shall accumulate within the lot or discharge beyond the lot lines any waste matter, whether liquid or solid, in violation of the applicable standards and regulations of the Division of Public Health of the Health and Hospital Corporation of Marion County, Indiana, the Indiana State Board of Health, and the Stream Pollution Control Board of the State of Indiana, or in such a manner as to endanger the public health, safety or welfare or cause injury to property.

CHAPTER III

SECTION 3.00 SEVERABILITY

If any section, subsection, paragraph, subparagraph, clause, phrase, word, provision or portion of this ordinance shall be held to be unconstitutional or invalid by any court of competent jurisdiction, such holding or decision shall not affect or impair the validity of this ordinance as a whole or any part thereof, other than the section, subsection, paragraph, subparagraph, clause, phrase, word, provision or portion so held to be unconstitutional or invalid.

NOW BE IT FURTHER ORDAINED that an emergency exists for the passage of this ordinance and that the same shall be in full force and effect from and after this date.

Beurt R. SerVaas

William K. Byrum

William A. Brown

Rozelle Boyd

THE MARION COUNTY COUNCIL
OF
MARION COUNTY, INDIANA

DATED August 1, 1968

ATTEST: John T. Sutton
AUDITOR OF MARION COUNTY, INDIANA

Legal Draft 7-3-68

